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TO: Examiner Pedro Philogene

FAX NUMBER: 571-273-8300

COMPANY: Group Art Unit 3733

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FROM: Douglas A. Collier

FAX NUMBER: (317) 636-1507

RE: Response to Final Office Action for U.S. Patent Application No. 10/083,199 to Hai Trieu, et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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PTO/SB/21 (09-04) Approved for use through 07/31/2008. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/083,199 TRANSMITTAL Filing Date February 26, 2002 FORM First Named Inventor Hai Trieu, et al. Art Unit 3733 **Examiner Name** Pedro Philogene (to be used for all correspondence after initial filing) Attorney Docket Number Total Number of Pages in This Submission MSDI-29/PC464.00 **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Fee Attached Licensing-related Papers of Appeals and Interferences 1 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Change of Correspondence Address Status Letter Other Enclosure(s) (please identify Extension of Time Request Terminal Disclaimer below): FacsImile Cover Sheet Express Abandonment Request Request for Refund CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Krieg/ØeVault LLP Signature Printed name Douglas A. Collier Date September 19, 2006 Reg. No. 43,556 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Douglas A. Collier Typed or printed name Date September 19, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) en application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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#735473

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Hai Trieu, et al.	)	Before the Examiner: Pedro Philogene
Serial No. 10/083,199	) )	) Group Art Unit:
Filed: February 26, 2002	)	3733
FLEXIBLE SYSTEMS FOR SPINAL STABILIZATION AND FIXATION	)	Atty Docket No.: MSDI-29/PC464.00
	)	September 19, 2006

## RESPONSE TO FINAL OFFICE ACTION

In response to the Final Office Action mailed July 19, 2006, in the above application, please consider and enter the following amendments and remarks. No fees or extensions of time are believed due for consideration of the enclosed; however, please provide any extensions of time which may be necessary and charge any fees which may be due to deposit account 12-2424, but not including the payment of issue fees.

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Final Office Action Response Ser. No. 10/083,199 Atty Docket No. MSDI-29/PC464.00 Page 1 of 17